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**Not for service*

December 22, 2023

BY ECF

Hon. Jennifer L. Rochon
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: Kushneir, et al. v. Esposito, et al., 14-cv-9148 (JLR)(BCM)

Your Honor:

I am co-counsel for Plaintiff Mark Kushneir. I write jointly with defense counsel in compliance with the Court's December 13, 2023 oral order from the bench during the final pretrial conference in this matter, as well as the Court's December 14, 2023 Order (ECF 218) requiring the parties to report to the Court as to our position regarding further settlement discussions.

The parties respectfully request that the Court issue a mediation referral, with the hope that we can conduct mediation in February or March. We also intend to engage in discussions ourselves in advance of the anticipated mediation.

Thank you for your attention to this matter.

Respectfully submitted,

/S/

Gideon Orion Oliver